

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KAREN M. SHEA Plaintiff,)	
)	
v.)	C.A. No. 1:16-CV-11488 NMG
)	
DITECH FINANCIAL LLC Defendant.)	

EMERGENCY MOTION TO AMEND COMPLAINT

Plaintiff, Karen M. Shea, pursuant to Fed.R.Civ.Pro. 15(a) hereby moves this Honorable Court to amend her complaint to add Wilmington Savings Fund Society, FSB, DBA, Christiana Trust, Not Individually but as Trustee for Pretium Mortgage Acquisition Trust (“Wilmington”) as a Defendant pursuant to Fed.R.Civ.Pro. 19. As reasons therefore, Plaintiff states that Wilmington just took an assignment of both the note and mortgage from Defendant, Ditech Financial, LLC which was recorded on August 10, 2016 with the Plymouth County Registry of Deeds in Book 47298, Page 245, a copy of which is attached hereto as Exhibit 1. As Wilmington now appears to be the current holder of the note and mortgage, they are the real party in interest and are required to be joined as a defendant in this matter. Rule 15 requires the court to freely give leave when justice requires. A copy of the Plaintiff’s First Amended Complaint is attached hereto as Exhibit 2. As a foreclosure auction is scheduled for August 26, 2016 at 12:00 p.m. it is imperative that Wilmington be joined as a defendant as soon as possible.

Motion allowed. SPM Gorton, USDJ 8/17/16